UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,616	02/27/2004	Donald B. Farr	7784-000973	6936

27572   7590   02/05/2009
HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 828
BLOOMFIELD HILLS, MI 48303

EXAMINER
LEE, JAE YOUNG

ART UNIT	PAPER NUMBER
2419	

MAIL DATE	DELIVERY MODE
02/05/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>27 February 2004</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-35</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-35</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>27 February 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>07 June 2004</u>.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

IDS

1.   The information disclosure statement filed on 7 June 2004 fails to comply with

the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because publication data has not

been provided for the following Non Patent Literature documents: *"Boeing Strategic*

Architecture, C41 Technical Architecture, Introduction to XML, and What is Link 16?" It

has been placed in the application file, but the information referred to therein has not

been considered as to the merits. Applicant is advised that the date of any re-

submission of any item of information contained in this information disclosure statement

or the submission of any missing element(s) will be the date of submission for purposes

of determining compliance with the requirements based on the time of filing the

statement, including all certification requirements for statements under 37 CFR 1.97(e).

See MPEP § 609.05(a).

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

      1.   Determining the scope and contents of the prior art.
      2.   Ascertaining the differences between the prior art and the claims at issue.
      3.   Resolving the level of ordinary skill in the pertinent art.
      4.   Considering objective evidence present in the application indicating
            obviousness or nonobviousness.

4.   **Claims 1, 2, 5, 6, 7, 12-14, 17, 21-29, 30-33, and 35** are rejected under 35

U.S.C. 103(a) as being unpatentable over Giroti et al. (US 2003/0018700) in view of

Ennis et al. (US 7,356,529).

    For claim 1, Giroti discloses a method comprising:

- a first network (Fig. 2 18 wireless network, 20 PSTN) for an entity on a second

    network (Fig. 2 12 enterprise IP network, 14 application, 16 DB), accepting a first

    information from the first network, and transmitting the first information to the

    entity (Fig. 2; paragraph 0022 lines 4-8: integrated application delivery system

    allowing content and information from the applications and databases to be

    delivered to any of the devices via the respective network(s); paragraph 0024

    lines 13-16: unified XML controller controlling delivery of content via the

    convergence switch performing the gateway-like function of translating data

    packets or streams between the enterprise IP network and the user networks;

    Integrated application delivery system implicitly accepts message from the

devices and transmits to the application and/or DB in enterprise IP network since

the application and/or DB deliver the content and information via the integrated

application delivery system), and

- accepting a second information from the entity, and the second information for

   the first entity (Fig. 2 12 enterprise IP network, 14 application, 16 DB; paragraph

   0022 lines 4-8: integrated application delivery system allowing content and

   information from the applications and databases to be delivered to any of the

   devices via the respective network(s))

Giroti discloses all the subject matter of the claimed invention with the exception

for at least one of acting as a subscriber having subscription and acting as a publisher

including a publisher/subscriber architecture. Ennis discloses at least one of acting as a

subscriber having subscription and acting as a publisher including a

publisher/subscriber architecture (Fig. 1 100 switch; Fig. 2 206 local table, 212: global

table; col 7 lines 46-51: local tables and the global tables including Pusblishers table

and Subscribers table). Therefore, it would have been obvious to the person of ordinary

skill in the art at the time of invention was made to incorporate at least one of acting as

a subscriber having subscription and acting as a publisher including a

publisher/subscriber architecture of Ennis to the method of Giroti. The motivation would

have been to provides improved scalability, improved efficiency and enhanced

functionality and performance by enabling a subscriber to subscribe to multiple events

using a single namespace specification and a single subscription request (Ennis col 2

lines 1-12).

For claim 2, Giroti discloses

- time division multiplexing information with the entity (Fig. 2 20 PSTN, 26 phone; it is well known that PSTN is TDM based network)

For claim 5, Giroti discloses

- translating the first information from a protocol associated with the first information and a second protocol associated with the second information, the first and the second protocols being different (paragraph 0022 lines 4-8: integrated application delivery system allowing content and information from the applications and databases to be delivered to any of the devices via the respective network(s); Fig. 2 10 integrated application delivery system; paragraph 0024 lines 13-16: unified XML controller controlling delivery of content via the convergence switch performing the gateway-like function of translating data packets or streams between the enterprise IP network and the user networks)

For claim 6, Giroti discloses

- the first protocol is a TDM protocol and the second protocol is an Internet Protocol (Fig. 2 12 enterprise IP network, 20 PSTN; PSTN is TDM based network)

For claim 7, Giroti discloses

- using XML to translate between the first protocol and the second protocol (Fig. 2
  10 integrated application delivery system; paragraph 0024 lines 13-16: unified
  XML controller controlling delivery of content via the convergence switch
  performing the gateway-like function of translating data packets or streams
  between the enterprise IP network and the user networks; Fig. 5, paragraph 0029
  lines 17-29)

For claim 12, Giroti discloses a system comprising:

- an interface to an entity, the entity interface including a first protocol for
  communicating with the entity over the first network (Fig. 2 18 wireless network ,
  20 PSTN, 24: phone PDA, 26 phone; Integrated application delivery system
  implicitly has an interface connected to the corresponding network); and
- an interface to on the second network, the interface to include a service to for the
  entity and a service to the entity (Fig. 2 12 enterprise IP network, 14 application,
  16 DB; paragraph 0022 lines 4-8: integrated application delivery system allowing
  content and information from the applications and databases to be delivered to
  any of the devices via the respective network(s))

Giroti discloses all the subject matter of the claimed invention with the exception

for acting as a subscriber having subscription, acting as a publisher, and a

publisher/subscriber architecture. Ennis discloses acting as a subscriber having

subscription, acting as a publisher, and a publisher/subscriber architecture (Fig. 1 100 switch; Fig. 2 206 local table, 212: global table; col 7 lines 46-51: local tables and the global tables including Publishers table and Subscribers table). Therefore, it would have been obvious to the person of ordinary skill in the art at the time of invention was made to incorporate acting as a subscriber having subscription, acting as a publisher, and a publisher/subscriber architecture of Ennis to the method of Giroti. The motivation would have been to provides improved scalability, improved efficiency and enhanced functionality and performance by enabling a subscriber to subscribe to multiple events using a single namespace specification and a single subscription request (Ennis col 2 lines 1-12).

For claim 13, Giroti discloses

- a translator translating the first information from a protocol associated with the first information and a second protocol associated with the second information, the first and the second protocols being different (paragraph 0022 lines 4-8: integrated application delivery system allowing content and information from the applications and databases to be delivered to any of the devices via the respective network(s); Fig. 2 10 integrated application delivery system; paragraph 0024 lines 13-16: unified XML controller controlling delivery of content via the convergence switch performing the gateway-like function of translating data packets or streams between the enterprise IP network and the user networks)

For claim 14, Giroti discloses

- translator being based on XML (Fig. 2 10 integrated application delivery system; paragraph 0024 lines 13-16: unified XML controller controlling delivery of content via the convergence switch performing the gateway-like function of translating data packets or streams between the enterprise IP network and the user networks; Fig. 5, paragraph 0029 lines 17-29)

For claim 17, Giroti discloses

- the first entity (Fig. 2 12 enterprise IP network, 14 application, 16 DB)

Giroti discloses all the subject matter of the claimed invention with the exception for a registration manager to register the entity as at least one of a publisher and a subscriber. Ennis discloses a registration manager to register the entity as at least one of a publisher and a subscriber (col 9 lines 41-44: checking the global subscribers table to determine whether there are any publishers that have registered to publish event to the name space). Therefore, it would have been obvious to the person of ordinary skill in the art at the time of invention was made to incorporate a registration manager to register the entity as at least one of a publisher and a subscriber of Ennis to the system of Giroti. The motivation would have been to provides improved scalability, improved efficiency and enhanced functionality and performance by enabling a subscriber to subscribe to multiple events using a single namespace specification and a single subscription request (Ennis col 2 lines 1-12).

For claim 21, Giroti discloses

- the entity interface is a TDM interface (Fig. 2 20 PSTN; PSTN is implicitly a TDM based network; Integrated application delivery system implicitly has an interface connected to the corresponding network)

For claim 22, Giroti discloses

- the second network interface includes an Internet interface (Fig. 2 12 enterprise IP network; Integrated application delivery system implicitly has an interface connected to the corresponding network)

For claim 23, Giroti discloses

- at least one of hardware, firmware, and software (Fig. 2, Fig. 3; paragraph 0025 lines 1-2: software platform)

For claim 24, Giroti discloses a system comprising:

- a first network having a first protocol (Fig. 2 20 PSTN);
- an entity configured to use the first protocol to communicate over the first network (Fig. 2 20 PSTN, 26 phone); and
- an agent associated with the first network interposed between the first network and a second network (paragraph 0022 lines 4-8: integrated application delivery system allowing content and information from the applications and databases to

be delivered to any of the devices via the respective network(s)) to act as at least one of:

- a first information to be transmitted by the entity (Fig. 2; paragraph 0022 lines 4-8: integrated application delivery system allowing content and information from the applications and databases to be delivered to any of the devices via the respective network(s); paragraph 0024 lines 13-16: unified XML controller controlling delivery of content via the convergence switch performing the gateway-like function of translating data packets or streams between the enterprise IP network and the user networks; Integrated application delivery system implicitly accepts message from the devices and transmits to the application and/or DB in enterprise IP network since the application and/or DB deliver the content and information via the integrated application delivery system), and

- a second information to be transmitted to the agent Fig. 2 12 enterprise IP network, 14 application, 16 DB; paragraph 0022 lines 4-8: integrated application delivery system allowing content and information from the applications and databases to be delivered to any of the devices via the respective network(s))

Giroti discloses all the subject matter of the claimed invention with the exception for at least one of acting as a subscriber having subscription, acting as a publisher, and a publisher/subscriber architecture. Ennis discloses at least one of acting as a subscriber having subscription, acting as a publisher, and a publisher/subscriber architecture (Fig. 1 100 switch; Fig. 2 206 local table, 212: global table; col 7 lines 46-

51: local tables and the global tables including Pusblishers table and Subscribers table).

Therefore, it would have been obvious to the person of ordinary skill in the art at the

time of invention was made to incorporate at least one of acting as a subscriber having

subscription, acting as a publisher, and a publisher/subscriber architecture of Ennis to

the system of Giroti. The motivation would have been to provides improved scalability,

improved efficiency and enhanced functionality and performance by enabling a

subscriber to subscribe to multiple events using a single namespace specification and a

single subscription request (Ennis col 2 lines 1-12).

For claim 25, Giroti discloses

- a third network (Fig. 2 18 wireless network) in communication with second
  network and providing the second information (Fig. 2 12 enterprise IP network,
  14 application, 16 DB; paragraph 0022 lines 4-8: integrated application delivery
  system allowing content and information from the applications and databases to
  be delivered to any of the devices via the respective network(s))

For claim 26, Giroti discloses

- a third network (Fig. 2 18 wireless network) in communication with second
  network and providing the first information (Fig. 2 12 enterprise IP network, 14
  application, 16 DB; paragraph 0022 lines 4-8: integrated application delivery
  system allowing content and information from the applications and databases to
  be delivered to any of the devices via the respective network(s)' paragraph 0024

lines 13-16: unified XML controller controlling delivery of content via the

convergence switch performing the gateway-like function of translating data

packets or streams between the enterprise IP network and the user networks;

Integrated application delivery system implicitly accepts message from the

devices and transmits to the application and/or DB in enterprise IP network since

the application and/or DB deliver the content and information via the integrated

application delivery system)

For claim 27, Giroti discloses

- the first protocol is a TDM protocol (Fig. 2 20 PSTN; PSTN is TDM based
  network)

For claim 28, Giroti discloses

- the first protocol (Fig. 2 20 PSTN; PSTN is TDM based network)

Giroti and Ennis disclose all the subject matter of the claimed invention with the

exception for TADIL-J. Examiner takes Official Notice that TADIL-J is well known

protocol in the art. Therefore, it would have been obvious to the person of ordinary skill

in the art at the time of invention was made to use TADIL-J instead of TDM in order to

provide flexibility over communication network.

For claim 29, Giroti discloses

- the first protocol (Fig. 2 20 PSTN; PSTN is TDM based network)

Giroti and Ennis disclose all the subject matter of the claimed invention with the

exception for VMF. Examiner takes Official Notice that VMF is well known protocol in

the art. Therefore, it would have been obvious to the person of ordinary skill in the art at

the time of invention was made to use VMF instead of TDM in order to provide flexibility

over communication network.

For claim 30, Giroti discloses

- the agent further comprising an a translator translating between the first protocol
  and the second protocols (Fig. 2; paragraph 0022 lines 4-8: integrated
  application delivery system allowing content and information from the
  applications and databases to be delivered to any of the devices via the
  respective network(s))

For claim 31, Giroti discloses

- translator being based on XML (Fig. 2 10 integrated application delivery system;
  paragraph 0024 lines 13-16: unified XML controller controlling delivery of content
  via the convergence switch performing the gateway-like function of translating
  data packets or streams between the enterprise IP network and the user
  networks; Fig. 5, paragraph 0029 lines 17-29)

For claim 32, Giroti discloses

- the first network is associate with a mobile platform (Fig. 2 18 wireless network, 24 phone PDA)

For claim 33, Giroti discloses

- the mobile platform (Fig. 2 18 wireless network, 24 phone PDA)

Giroti and Ennis disclose all the subject matter of the claimed invention with the exception for an aircraft. Examiner takes Official Notice that an aircraft is well known in the art. It had been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate that claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. Ex. Prarte Masham, 2 USPQ2d 1647 (1987).

For claim 35, Giroti discloses

- the first protocol is custom to the first network (Fig. 2 20 PSTN; PSTN is implicitly a TDM based network)

5.   **Claims 3, 4, 15, and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable by Giroti et al. (US 2003/0018700) in view of Ennis et al. (US 7,356,529) as applied to claim 1 above, and further in view of Chou et al. (US 2003/0018796).

For claim 3, Giroti discloses

- Information between publisher and subscriber (paragraph 0022 lines 4-8:

  integrated application delivery system allowing content and information from the

  applications and databases to be delivered to any of the devices via the

  respective network(s); Integrated application delivery system implicitly accepts

  request from the devices and transmits to the application and/or DB in enterprise

  IP network since the application and/or DB deliver the content and information

  via the integrated application delivery system)

Giroti and Ennis disclose all the subject matter of the claimed invention with the

exception for fusing the first information and a third information and transmitting the

fused information. Chou discloses using the first information and a third information and

transmitting the fused information (Fig. 3B, Fig. 5; paragraph 0013 lines 11-19:

multiplexing different versions of the multimedia information encoded at a different

transmission rate to form a sequence of frames having an average transmission rate

approximating the available transmission rate; paragraph 0042 lines 12-18). Therefore,

it would have been obvious to the person of ordinary skill in the art at the time of

invention was made to incorporate fusing the first information and a third information

and transmitting the fused information of Chou to the method of Giroti and Ennis. The

motivation would have been to increase bandwidth efficiency by using multiplexing

technique.

For claim 4, Giroti discloses

- Information between publisher and subscriber (paragraph 0022 lines 4-8:

  integrated application delivery system allowing content and information from the

  applications and databases to be delivered to any of the devices via the

  respective network(s); Integrated application delivery system implicitly accepts

  request from the devices and transmits to the application and/or DB in enterprise

  IP network since the application and/or DB deliver the content and information

  via the integrated application delivery system)

Giroti and Ennis disclose all the subject matter of the claimed invention with the

exception for the first and the third informations transmitted at different rates. Chou

discloses the first and the third informations transmitted at different rates (Fig. 3B, Fig.

5; paragraph 0013 lines 11-19: multiplexing different versions of the multimedia

information encoded at a different transmission rate to form a sequence of frames

having an average transmission rate approximating the available transmission rate;

paragraph 0042 lines 12-18). Therefore, it would have been obvious to the person of

ordinary skill in the art at the time of invention was made to incorporate the first and the

third informations transmitted at different rates of Chou to the method of Giroti and

Ennis. The motivation would have been to increase bandwidth efficiency by using

multiplexing technique.

For claim 15, Giroti discloses

- The sources being associated with at least one of the first network and the

  second network (Fig. 2 12 enterprise IP network, 14 application, 16 DB, 20

PSTN; paragraph 0022 lines 4-8: integrated application delivery system allowing

content and information from the applications and databases to be delivered to

any of the devices via the respective network(s))

Giroti and Ennis disclose all the subject matter of the claimed invention with the

exception for an information fuser wherein the fuser to fuse information for at least two

sources. Chou discloses Fig. 2 12 enterprise IP network, 14 application, 16 DB (Fig. 3B,

Fig. 5; paragraph 0013 lines 11-19: multiplexing different versions of the multimedia

information encoded at a different transmission rate to form a sequence of frames

having an average transmission rate approximating the available transmission rate;

paragraph 0042 lines 12-18). Therefore, it would have been obvious to the person of

ordinary skill in the art at the time of invention was made to incorporate Fig. 2 12

enterprise IP network, 14 application, 16 DB of Chou to the method of Giroti and Ennis.

The motivation would have been to increase bandwidth efficiency by using multiplexing

technique.

For claim 16, Giroti discloses

- Information between publisher and subscriber (paragraph 0022 lines 4-8:

  integrated application delivery system allowing content and information from the

  applications and databases to be delivered to any of the devices via the

  respective network(s); Integrated application delivery system implicitly accepts

  request from the devices and transmits to the application and/or DB in enterprise

IP network since the application and/or DB deliver the content and information

via the integrated application delivery system)

Giroti and Ennis disclose all the subject matter of the claimed invention with the

exception for the fuser being configured to accept information form the first and the

second sources at different rates. Chou discloses the fuser being configured to accept

information form the first and the second sources at different rates (Fig. 3B, Fig. 5;

paragraph 0013 lines 11-19: multiplexing different versions of the multimedia

information encoded at a different transmission rate to form a sequence of frames

having an average transmission rate approximating the available transmission rate;

paragraph 0042 lines 12-18). Therefore, it would have been obvious to the person of

ordinary skill in the art at the time of invention was made to the fuser being configured to

accept information form the first and the second sources at different rates of Chou to the

method of Giroti and Ennis. The motivation would have been to increase bandwidth

efficiency by using multiplexing technique.

6.   **Claims 8, 9, 10, 18-20, and 34** are rejected under 35 U.S.C. 103(a) as being

unpatentable by Giroti et al. (US 2003/0018700) in view of Ennis et al. (US 7,356,529)

as applied to claim 1 above, and further in view of Nedbal (US 7,107,574).

        For claim 8, Giroti discloses

- the protocol associated with the second information and an expected protocol for

  the second information (paragraph 0022 lines 4-8: integrated application delivery

system allowing content and information from the applications and databases to
be delivered to any of the devices via the respective network(s); Fig. 2 10
integrated application delivery system; paragraph 0024 lines 13-16: unified XML
controller controlling delivery of content via the convergence switch performing
the gateway-like function of translating data packets or streams between the
enterprise IP network and the user networks; Fig. 5, paragraph 0029 lines 17-29)

Giroti and Ennis disclose all the subject matter of the claimed invention with the
exception for validating by comparison. Nedbal discloses validating by comparison (col
6 lines 30-31: validating XML data against XML schema data; col 11 lines 47-55: XML
parser validating XMAL data against the XSD data in order to generate a validation
result in including error message and valid configuration response). Therefore, it would
have been obvious to the person of ordinary skill in the art at the time of invention was
made to validating by comparison of Nedbal to the method of Giroti and Ennis. The
motivation would have been to enhance reliability by using XSD validation technique.

For claim 9, Giroti discloses

- using XML (Fig. 2 10 integrated application delivery system; paragraph 0024
  lines 13-16: unified XML controller controlling delivery of content via the
  convergence switch performing the gateway-like function of translating data
  packets or streams between the enterprise IP network and the user networks;
  Fig. 5, paragraph 0029 lines 17-29)

Giroti and Ennis disclose all the subject matter of the claimed invention with the

exception for validating using an XSD schema. Nedbal discloses validating using an

XSD schema (col 6 lines 30-31: validating XML data against XML schema data; col 11

lines 47-55: XML parser validating XMAL data against the XSD data in order to

generate a validation result in including error message and valid configuration

response). Therefore, it would have been obvious to the person of ordinary skill in the

art at the time of invention was made to incorporate validating using an XSD schema of

Nedbal to the method of Giroti and Ennis. The motivation would have been to enhance

reliability by using XSD validation technique.

For claim 10, Giroti discloses

- using XML (Fig. 2 10 integrated application delivery system; paragraph 0024
  lines 13-16: unified XML controller controlling delivery of content via the
  convergence switch performing the gateway-like function of translating data
  packets or streams between the enterprise IP network and the user networks;
  Fig. 5, paragraph 0029 lines 17-29)

Giroti and Ennis disclose all the subject matter of the claimed invention with the

exception for ignoring subsequent messages from the same source if the validation

failed. Nedbal discloses ignoring subsequent messages from the same source if the

validation failed (col 6 lines 30-31: validating XML data against XML schema data; col

11 lines 47-55: XML parser validating XMAL data against the XSD data in order to

generate a validation result in including error message in case of failure; it is obvious

that subsequent pieces are ignored due to generating error message). Therefore, it
would have been obvious to the person of ordinary skill in the art at the time of invention
was made to incorporate ignoring subsequent messages from the same source if the
validation failed of Nedbal to the method of Giroti and Ennis. The motivation would have
been to enhance reliability by using XSD validation technique.

   For claim 18, Giroti discloses

- information received from the second network (Fig. 2 10 integrated application
   delivery system; paragraph 0022 lines 4-8: integrated application delivery system
   allowing content and information from the applications and databases to be
   delivered to any of the devices via the respective network(s); paragraph 0024
   lines 13-16: unified XML controller controlling delivery of content via the
   convergence switch performing the gateway-like function of translating data
   packets or streams between the enterprise IP network and the user networks;
   Fig. 5, paragraph 0029 lines 17-29)

   Giroti and Ennis disclose all the subject matter of the claimed invention with the
exception for a validation manager to validate information. Nedbal a validation manager
to validate information (col 6 lines 30-31: validating XML data against XML schema
data; col 11 lines 47-55: XML parser validating XMAL data against the XSD data in
order to generate a validation result in including error message and valid configuration
response). Therefore, it would have been obvious to the person of ordinary skill in the
art at the time of invention was made to incorporate a validation manager to validate

information of Nedbal to the system of Giroti and Ennis. The motivation would have

been to enhance reliability by using XSD validation technique.

For claim 19, Giroti discloses

- the protocol associated with the information from the second network with an

  expected protocol for the information from the second network (paragraph 0022

  lines 4-8: integrated application delivery system allowing content and information

  from the applications and databases to be delivered to any of the devices via the

  respective network(s); Fig. 2 10 integrated application delivery system;

  paragraph 0024 lines 13-16: unified XML controller controlling delivery of content

  via the convergence switch performing the gateway-like function of translating

  data packets or streams between the enterprise IP network and the user

  networks; Fig. 5, paragraph 0029 lines 17-29)

Giroti and Ennis disclose all the subject matter of the claimed invention with the

exception for validation manager to validate the information by comparison. Nedbal

discloses validation manager to validate the information by comparison (col 6 lines 30-

31: validating XML data against XML schema data; col 11 lines 47-55: XML parser

validating XMAL data against the XSD data in order to generate a validation result in

including error message and valid configuration response). Therefore, it would have

been obvious to the person of ordinary skill in the art at the time of invention was made

to validation manager to validate the information by comparison of Nedbal to the system

of Giroti and Ennis. The motivation would have been to enhance reliability by using XSD

validation technique.

       For claims 20, 34, Giroti discloses

- information received from the second network (Fig. 2 10 integrated application

  delivery system; paragraph 0022 lines 4-8: integrated application delivery system

  allowing content and information from the applications and databases to be

  delivered to any of the devices via the respective network(s); paragraph 0024

  lines 13-16: unified XML controller controlling delivery of content via the

  convergence switch performing the gateway-like function of translating data

  packets or streams between the enterprise IP network and the user networks;

  Fig. 5, paragraph 0029 lines 17-29)

      Giroti and Ennis disclose all the subject matter of the claimed invention with the

exception for an XSD schema used by validation manager to validate information.

Nedbal discloses an XSD schema used by validation manager to validate information

(col 6 lines 30-31: validating XML data against XML schema data; col 11 lines 47-55:

XML parser validating XMAL data against the XSD data in order to generate a validation

result in including error message and valid configuration response). Therefore, it would

have been obvious to the person of ordinary skill in the art at the time of invention was

made to incorporate an XSD schema used by validation manager to validate information

of Nedbal to the system of Giroti and Ennis. The motivation would have been to

enhance reliability by using XSD validation technique.

7.   **Claim 11** is rejected under 35 U.S.C. 103(a) as being unpatentable by Giroti et

al. (US 2003/0018700) in view of Ennis et al. (US 7,356,529) as applied to claim 1

above, and further in view of Mueller et al. (US 2005/0027867).

    For claim 11, Giroti discloses

- network (Fig. 2)

    Giroti discloses all the subject matter of the claimed invention with the exception

for accepting a request for changed subscription from the entity and changing the

subscription. Ennis discloses accepting a request for changed subscription from the

entity and changing the subscription (col 10 lines 63-65: local subscribers table is

updated to reflect the subscription registration; col 11 lines 11-13: global subscribers

table is updated to include the new subscription). Therefore, it would have been obvious

to the person of ordinary skill in the art at the time of invention was made to incorporate

accepting a request for changed subscription from the entity and changing the

subscription e of Ennis to the method of Giroti. The motivation would have been to

provides improved scalability, improved efficiency and enhanced functionality and

performance by enabling a subscriber to subscribe to multiple events using a single

namespace specification and a single subscription request (Ennis col 2 lines 1-12).

    Giroti and Ennis disclose all the subject matter of the claimed invention with the

exception for dynamic subscription registration. Mueller discloses dynamic subscription

registration (paragraph 0034 lines 1-10: subscription including identity, and device

registration done dynamically at a future time). Therefore, it would have been obvious to

the person of ordinary skill in the art at the time of invention was made to incorporate

dynamic subscription registration of Mueller to the method of Giroti and Ennis. The

motivation would have been to increase flexibility by actively changing information by

user (paragraph 0034 lines 6-10).

Conclusion

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jae Y. Lee whose telephone number is (571) 270-3936.

The examiner can normally be reached on Monday through Friday from 7:30 AM to 5:00

PM EST.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Daniel Ryman can be reached on (571) 272-3152. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jae Y Lee/   /Daniel J. Ryman/
Examiner, Art Unit 2419   Supervisory Patent Examiner, Art
                                                 Unit 2419